



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Appl. No. : 10/699,212 Confirmation No.: 2780  
Applicant : David R. Hennings et al.  
Filing Date : October 30, 2003  
Title : Endovenous Closure of Varicose Veins with Mid Infrared Laser  
Group Art Unit : 3739  
Examiner : David M. Shay  
Docket No. : 15487.4002  
Customer No. : 34313

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the Final Official Action mailed 12/03/2004, finally rejecting claims 1-7, 19-23 and 25.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 500.00

The fee for the request for an oral hearing \$ 1000.00

X Applicant claims small entity status. See 37 CFR 1.27. Therefore,  
the fee shown above is reduced by half, and the resulting fee is: \$ 750.00.

☐ A check in the amount of the fee is enclosed.

X The Commissioner has already been authorized to charge fees in this application  
to a Deposit Account. I have enclosed a duplicate copy of this sheet.

06/07/2005 MAHMED1 00000069 150665 10699212

01 FC:2401 250.00 DA  
02 FC:2403 500.00 DA

**CERTIFICATE OF MAILING**  
37 CFR §1.8

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 3, 2005

Lynne Fulmer  
Lynne Fulmer

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15487-4002

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- ☒ The Commissioner is hereby authorized to charge \$750.00 and charge any deficiency in fees which or credit any overpayment, as may be required, to Deposit Account No. 15-0665 . I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

I am the:

- ☐ Applicant.
- ☐ Assignee of record of the entire interest.  
Certificate under 37 CFR 3.73(b) is enclosed.
- ☒ Attorney or agent of record.

Respectfully submitted,  
ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: June 3, 2005

By:   
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